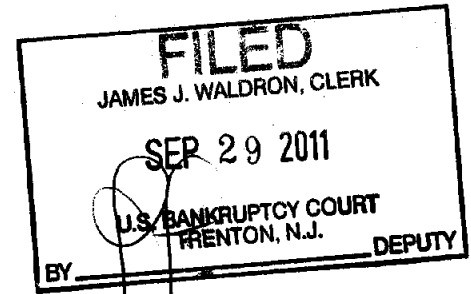


R # 609746

September 17, 2011

US Bankruptcy Court
ATTN: CLERK
402 East State Street
Trenton, NJ 08608



In Re: Laura Isabel Rivera, Pro Se
Case no. 11- 30866 -KCF (Chapter 7)
ADVERSARY PROCEEDING - Dischargeability Determination

FILING FEE PAID

Esteemed Clerk,

Please be advised that I am not a legal representative of any sort; nor do I have training or education regarding local and national law. Pursuant to FRBP 7001, I have included a formal complaint along with a letter of hardship accepted by your office, and a money order for \$250.00.

Due to the short amount of resources I found available, I have filed this motion to the best of my abilities, and will ask that you forgive any discrepancies. Please advise further as to missing documents, and what is necessary from me here on out. I have included 5 copies of the forms I found available on the website, if this is not formal procedure please excuse my lack of intelligence.

Thank you; good day.

Respectfully yours,

Laura O. Rivera

Laura Isabel Rivera Debtor / Individual
RIVERA2@COMCAST.NET
2 COLUMBUS DRIVE
FRANKLIN PARK, NJ 08823-1724
(732) 216 - 3042

August 31, 2011

US Bankruptcy Court
ATTN: CLERK
402 East State Street
Trenton, NJ 08608

U.S. BANKRUPTCY COURT
11 SEP -8 AM 9:40
JAMES WALBRON
CLERK

Case no. 11-30866-KCF (Chapter 7)
RE: Letter of Hardship for debtor: LAURA I. RIVERA

Esteemed Reader,

In 2004, I accepted 2 loans:

- (1) Sallie Mae for a total of \$13,491;
- (2) HESAA for a total of \$6,087.

At this point, there is no solid number stating an exact amount of how much is owed, nor who is holding liens or unsecured claims on said loans. The accounts have been transferred over five times in the past 7 years, and \$27,495 have already been set off.

With this letter, I have included a copies of a receipt to HESAA as a good faith effort of repayment, schedules I & J of my bankruptcy petition and the Statement of Financial Affairs, to show that I cannot maintain a minimal standard of living and my circumstances will not improve in the next few years, if forced to repay these excessive expanded loans.

I understand it is rare and unorthodox to discharge educational loans but I have included proof that I meet the criteria for discharge of undue hardship in the context of 11 U.S.C. § 523(a)(8)(B). I also understand an adversary proceeding would help, but I simply cannot afford to spend anymore money outside of my budgetary means. I would like for monies due to me from the IRS (\$67) to be applied to the HESAA loan, for the fiscal year of 2011 before said discharge. I plead for mercy in this situation.

Respectfully,

Laura I. Rivera

Laura Isabel Rivera Debtor / Individual
RIVERA2@COMCAST.NET
2 COLUMBUS DRIVE
FRANKLIN PARK, NJ 08823-1724
(732) 216 - 3042



Closed School Record Page

[BACK TO SEARCH](#)

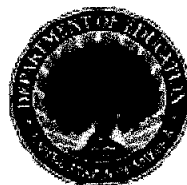
According to the records of the U.S. Department of Education, the school listed below is officially closed.

If you are applying to another school, print this page from your Web browser and take it to the financial aid office at your new school to use as proof that the school you previously attended has closed. If you had a federal student loan at that school and the school closed while you were still enrolled (see closure date listed below), you may be able to have your loan discharged (canceled).

Make sure you read the [criteria for discharge](#). You can also look at a copy of the [discharge application](#).

GIBBS COLLEGE
180 CENTENNIAL AVENUE
PISCATAWAY NJ 08854-3908

OPE ID: 00750703
DATE CLOSED: 12/19/2008



U.S. Department of Education
Federal Student Aid
Date of Report : 08/29/2011

[Return to Closed School Page](#)
[Return to "Finding Out About Financial Aid"](#)

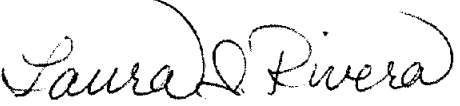
Page last modified: March 1, 2006

Technical questions about the website: webmaster@ed.gov
Other inquiries/comments: customerservice@inet.ed.gov

B104 (FORM 104) (08/07)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only) 11 SEP 29 PM 12:25												
PLAINTIFFS LAURA ISABEL RIVERA 2 COLUMBUS DRIVE FRANKLIN PARK, NJ 08823-1724	DEFENDANTS SALLIE MAE STATE OF NJ - HESAA 11100 USA PKWY. PO BOX 548 FISHERS, IN 46037 TRENTON, NJ 08625													
ATTORNEYS (Firm Name, Address, and Telephone No.) NONE; PRO SE	ATTORNEYS (If Known) N/A FILING FEE PAID													
PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee													
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) §523(a)(8) - EXCEPTING SUCH DEBT FROM DISCHARGE WOULD IMPOSE UNDUE HARDSHIP ON MYSELF (DEBTOR) AND MY DEPENDANTS - PLEASE REVIEW FORMS B6I, B6J, B7 & B9A OF CASE # 11-30866 FOR EVIDENCE OF CAUSE														
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)														
<table border="0"><tr><td>FRBP 7001(1) - Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other</td><td>FRBP 7001(6) - Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other</td></tr><tr><td>FRBP 7001(2) - Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property</td><td>FRBP 7001(7) - Injunctive Relief <input checked="" type="checkbox"/> 71-Injunctive relief - imposition of stay <input type="checkbox"/> 72-Injunctive relief - other</td></tr><tr><td>FRBP 7001(3) - Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)</td><td>FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest</td></tr><tr><td>FRBP 7001(4) - Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)</td><td>FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment</td></tr><tr><td>FRBP 7001(5) - Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation</td><td>FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause</td></tr><tr><td>FRBP 7001(6) - Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)</td><td>Other <input type="checkbox"/> SS-SIPA Case - 15 U.S.C. §§78aaa et seq. <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)</td></tr></table>			FRBP 7001(1) - Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other	FRBP 7001(6) - Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other	FRBP 7001(2) - Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property	FRBP 7001(7) - Injunctive Relief <input checked="" type="checkbox"/> 71-Injunctive relief - imposition of stay <input type="checkbox"/> 72-Injunctive relief - other	FRBP 7001(3) - Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)	FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest	FRBP 7001(4) - Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)	FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment	FRBP 7001(5) - Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation	FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause	FRBP 7001(6) - Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)	Other <input type="checkbox"/> SS-SIPA Case - 15 U.S.C. §§78aaa et seq. <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)
FRBP 7001(1) - Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other	FRBP 7001(6) - Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other													
FRBP 7001(2) - Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property	FRBP 7001(7) - Injunctive Relief <input checked="" type="checkbox"/> 71-Injunctive relief - imposition of stay <input type="checkbox"/> 72-Injunctive relief - other													
FRBP 7001(3) - Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)	FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest													
FRBP 7001(4) - Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)	FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment													
FRBP 7001(5) - Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation	FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause													
FRBP 7001(6) - Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)	Other <input type="checkbox"/> SS-SIPA Case - 15 U.S.C. §§78aaa et seq. <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)													
<input type="checkbox"/> Check if this case involves a substantive issue of state law		<input checked="" type="checkbox"/> Check if this is asserted to be a class action under FRCP 23												
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$ 0.00												
Other Relief Sought NONE														

B104 (FORM 104) (08/07), Page 2

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR LAURA ISABEL RIVERA		BANKRUPTCY CASE NO. 11 - 30866 - KCF
DISTRICT IN WHICH CASE IS PENDING NEW JERSEY		DIVISION OFFICE TRENTON
		NAME OF JUDGE HON. KATHRYN C. FERGUSON
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF NONE	DEFENDANT NONE	ADVERSARY PROCEEDING NO. NONE
DISTRICT IN WHICH ADVERSARY IS PENDING NONE		DIVISION OFFICE NONE
		NAME OF JUDGE NONE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 		
DATE 9/17/2011		PRINT NAME OF ATTORNEY (OR PLAINTIFF) LAURA ISABEL RIVERA

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.